

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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pc

In re Application of

BODIL ENGBERG PALLESEN

Serial No. 09/423,525

Art Unit: 1771

Filed: November 10, 1999

Examiner: J. Befumo

For: METHOD FOR MANUFACTURING A FIBRE MAT, FIBRE MAT
AND USE OF SUCH FIBRE MAT

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RESPONSE

To the Commissioner of Patents and Trademarks

Sir:

In response to the Office Action dated July 31, 2001, kindly consider the following:

Applicant provisionally elects Group I drawn to the method of making fiber mat, with traverse. Claims 1-9 read on the elected species.

Reconsideration and withdrawal of the election requirement are requested.

The Examiner's reliance on PCT Rule 13.1 for the restriction requirement is not understood. This application is a national phase application based on a PCT application of the same inventor. According to the MPEP national phase applications are similar to national applications and should be examined likewise.

The office action page 2, paragraph 2 comments are not well taken. The Examiner makes a blanket statement that the claims are "obvious or anticipated" over some reference, and that the

claimed method "does not provide a contribution over the prior art" and relies on that as a basis for the restriction requirement. Applicant respectfully requests a clarification for the Examiner's above contention within the existing patent laws that govern U.S. patenting procedures.

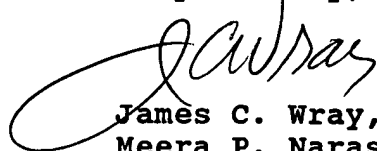
The examiner's attention is kindly drawn to MPEP §§§§ 802, 803, 806, etc., to provide guidance for restriction requirement actions.

Reliance on PCT rules is in error. The Examiner has not shown any undue burden as to search and examination of the three identified groups as is required for restriction requirements. Since the Examiner has not complied with the procedures set forth in MPEP, Applicant is unable to adequately rebut the Examiner's restriction requirement.

For the above reasons, the Applicant believes that all the claims, 1-11, should be examined together.

Reconsideration and withdrawal of the requirement are respectfully requested.

Respectfully,



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August 31, 2001